

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\*\*\*

JOHN MELNIK,

Plaintiff,

v.

ROMEO ARANAS,

Defendant.

Case No.: 2:17-cv-2378-JCM-EJY

**ORDER**

Before the Court is the Joint Status Report regarding settlement discussions. ECF No. 48. On December 1, 2022, the parties participated in a telephonic status conference regarding settlement. ECF No. 47. The Court instructed the parties to file a stipulation indicating whether settlement has been reached or if a second settlement conference is requested. *Id.* Thus, in the Status Report, the parties state that “settlement discussions have continued and ... the parties believe that another settlement conference would be helpful in resolving this case.” ECF No. 48. The parties also request the Court issue an order “directing the NDOC to make Mr. Melnik available by video conference for the entirety of the conference.” *Id.* at 2.

Accordingly, IT IS HEREBY ORDERED that the Joint Status Report (ECF No. 48) is GRANTED to the extent the parties seek another settlement conference.

IT IS FURTHER ORDERED that a second settlement conference is set for **June 16, 2023 at 9:30 a.m., by the Zoom video conference platform.** The parties must contact Elvia Garcia, Courtroom Deputy for the undersigned Magistrate Judge, by **12:00 p.m. on June 14, 2023, at Elvia\_Garcia @nvd.uscourts.gov**, and provide the email addresses of their respective participants. The courtroom deputy will email all participants with the Zoom link.

IT IS FURTHER ORDERED that the Warden of Nevada Department of Corrections, or his/her designee, must make the necessary arrangements for Plaintiff to appear by video conference and shall provide **ELVIA GARCIA**, Courtroom Deputy, with the video conference reservation at which Plaintiff can be reached at least two days prior to the settlement conference.

## PREPARATION FOR SETTLEMENT CONFERENCE

In preparation for the settlement conference, each party must submit a confidential settlement conference statement for in camera review. The **confidential settlement conference statement, with exhibits, generally not to exceed 50 pages, must be delivered electronically to Emily.Santiago@nvd.uscourts.gov by 3:00 p.m. on June 9, 2023.**

The confidential statement must contain the following:

1. A brief statement of the nature of the claims and defenses.
2. A concise summary of the evidence that supports your theory of the case, including key individuals who will provide testimony if this matter goes to trial, the Rule 26(a)(1)(A)(iii) computation of damages, and the Rule 26(a)(1)(A)(iv) insurance information. Each party must provide all information that documents or supports your damages claims. Copies of medical records or treatment records need not be submitted; however, these may be provided in a table or summary format.
3. Attach to the statements submitted any documents or exhibits that are relevant to key factual or legal issues, including selected pages from deposition transcripts or responses to other discovery requests. **Please do not provide entire deposition transcripts.**
4. Provide an analysis of the key issues involved in the litigation. The analysis must include a discussion of the strongest points in your case, both legal and factual, and a frank discussion of the weakest points as well. The Court expects the parties to present a thorough analysis of the key issues and candid evaluation of the merits of your case.
5. Identify and explain any obstacles to settlement, e.g. medical liens, statutory caps, or motions pending before the court.
6. Provide the history of settlement discussions, if any, which have occurred in this case. Provide any demands, offers, or offers of judgment that have been made and, if applicable, the reasons they have been rejected.
7. Provide the initial settlement proposal that will be presented at the settlement conference with a justification for any monetary amount. The proposal must include any non-monetary settlement terms that will be presented.

The purpose of the statement is to assist the undersigned Magistrate Judge in preparing for and conducting the settlement conference. To facilitate a meaningful conference, your utmost candor in responding to all of the above-listed questions is required. The settlement conference statement will remain confidential. If this case does not settle, the settlement conference statement will not be disclosed to the Judge who will preside over the trial. Each statement will be securely maintained in my chambers and will be destroyed following the conference.

Dated this 3rd day of February, 2023.

  
ELAYNA J. YOUCHAK  
UNITED STATES MAGISTRATE JUDGE